

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re:
ANDRIUS AUGUNAS

) Bankruptcy No. 08-10655
Debtor.) Honorable Pamela S. Hollis
) Chapter 7
)
) Hearing Date: December 17, 2009
) Hearing Time: 10:00 a.m.

NOTICE OF MOTION

To: *U.S. Trustee, William T. Neary.
See Attached Service List

PLEASE TAKE NOTICE that on Thursday, December 17, 2009, at 10:00 a.m., we will appear before the Honorable Pamela S. Hollis, Courtroom 644, United States Bankruptcy Court, 219 S. Dearborn Street, Chicago, Illinois, and then and there present **Trustee's Motion to Authorize the Sale of Diamond Ring**, a copy of which is attached hereto and served upon you herewith.

Dated: November 24, 2009

/s/ David P. Leibowitz
Chapter 7 Trustee

Certificate of Service

On November 24, 2009, the undersigned, certifies that on this date, she caused a copy of the above document to be served upon each person shown on the within Notice, by United States Mail, with postage prepaid, at Waukegan, Illinois. Those marked with an * were served via electronic service.

/s/Virginia Elliott
Paralegal

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Winnetka, IL 60093

2300 S. Michigan Development Group
1 E Wacker Drive, Suite 3100
Chicago, IL 60601-1920

2800 W. Chicago Development Group
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Chicago, IL 60607-2219

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Fort Lauderdale, FL 33337-0002

American Express
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American Express
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Fort Lauderdale, FL 33329-7804

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Wilmington, DE 19850-5480

Bank of America
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Barack Ferrazzano Kirschbaum, et al
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(c)BURKE, BURNS & PINELLI, LTD.
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2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121-3132

CHASE BANK USA, NA
PO BOX 15145
WILMINGTON, DE 19850-5145

Chase
P.O. Box 15298
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The Lakes, NV 89163-0001

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15W030 N. Frontage Rd., Ste. 100
Burr Ridge, IL 60527-6921

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MSN 314B
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Simi Valley, CA 93062-5170

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Fifth Third Bank
P.O. Box 630412
Cincinnati, OH 45263-0412

First DuPage Bank
c/o William Serritella
33 North Wabash Ste 1700
Chicago, IL 60602

First Dupage Bank
Attn: Loan Department
520 North Cass Avenue
Westmont, IL 60559-1500

Flagstar Bank
Mail Stop S-115-3
5151 Corporate Dr.
Troy, MI 48098-2639

HSBC Bank, USA
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Chicago, IL 60605-1508

Hamilton Equity Group LLC
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:) Bankruptcy No. 08-10655

ANDRIUS AUGUNAS) Honorable Pamela S. Hollis

) Chapter 7

)

Debtor.) Hearing Date: December 17, 2009

) Hearing Time: 10:00 a.m.

MOTION TO AUTHORIZE THE SALE OF DIAMOND RING

NOW COMES DAVID P. LEIBOWITZ, Chapter 7 Trustee for the Bankruptcy Estate of Andrius Augunas, (“Debtor”), herein, and respectfully requests that this Honorable Court enter an order authorizing the Trustee to sell Trustee’s interest in a Diamond Ring property of the estate through Finer Jewelry, Inc. pursuant to Bankruptcy Code § 363 (b). In support thereof, Trustee states as follows:

1. Debtor filed his voluntary petition for relief under Chapter 7 on April 29, 2008.

David P. Leibowitz was appointed Chapter 7 Trustee for the Estate of Andrius Augunas on that date and no Trustee was elected, thus David P. Leibowitz is the permanent Trustee in this case.

2. On May 22, 2008 the first meeting of creditors according to Section 341 of the Bankruptcy Code was continued to June 12, 2008.

3. On June 12, 2008 the continued first meeting of creditors was held and the Debtor was present.

4. Among the assets of this Estate is a 5.49 carat Round Brilliant Cut Diamond VS₂ Clarity, K Color, and ring with small diamonds, which Trustee has determined to have an approximate retail value of \$65,000.00. Trustee has informally marketed the ring with the assistance of jewelry broker Atalie Finer for more than 8 months. Trustee with the assistance of Atalie Finer

has now received an offer to purchase the ring for \$47,000.00 (see Exhibit A) from an undisclosed buyer who wishes to remain anonymous, less commission and expenses (see Exhibit B) totaling as follows:

Buyer's Offer	\$ 47,000.00
Commission to Finer Jewelry, Inc.	(\$4,700.00)
GIA certificate for the 5.9 ct. stone	(\$ 472.00)
Shipping ring to GIA through Brinks	<u>(\$ 75.30)</u>
Balance due to estate	<u>\$ 41,752.70</u>

WHEREFORE, Trustee requests that he be authorized to sell the 5.49 carat Round Brilliant Cut Diamond VS₂ Clarity, K Color, and ring with small diamonds through Finer Jewelry, Inc. to an undisclosed buyer who wishes to remain anonymous, for the amount of \$47,000.00 minus commission and costs as noted and for such other and further relief as is just.

Respectfully submitted,

/s/David P. Leibowitz
Chapter 7 Trustee

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